

(Stipulating Parties Listed on Signature Pages)

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

**In re: CATHODE RAY TUBE (CRT)
ANTITRUST LITIGATION**

Case No. 07-5944 SC

MDL No. 1917

This Document Relates to:

**STIPULATION AND ~~PROPOSED~~
ORDER REGARDING SCHEDULING**

ALL INDIRECT PURCHASER ACTIONS;

Electrograph Sys., Inc. v. Hitachi, Ltd., No. 11-cv-01656;

Siegel v. Hitachi, Ltd., No. 11-cv-05502;

Best Buy Co., Inc. v. Hitachi, Ltd., No. 11-cv-05513;

Target Corp. v. Chunghwa Picture Tubes, Ltd., No. 11-cv-05514;

Interbond Corp. of Am. v. Hitachi, Ltd., No. 11-cv-06275;

Office Depot, Inc. v. Hitachi, Ltd., No. 11-cv-06276;

CompuCom Sys., Inc. v. Hitachi, Ltd., No. 11-cv-06396;

Costco Wholesale Corp. v. Hitachi, Ltd., No. 11-cv-06397;

P.C. Richard & Son Long Island Corp. v. Hitachi, Ltd., No. 12-cv-02648;

Schultze Agency Servs., LLC v. Hitachi, Ltd., No. 12-cv-02649;

Tech Data Corp. v. Hitachi, Ltd., No. 13-cv-00157;

Sharp Elecs. Corp. v. Hitachi, Ltd., No. 13-cv-01173;

Dell Inc. v. Hitachi Ltd., No. 13-cv-02171;

Sharp Elecs. Corp. v. Koninklijke Philips Elecs. N.V., No. 13-cv-02776;

State of California v. Samsung SDI Co., LTD., No. CGC-11-515784.

WHEREAS, the Indirect Purchaser Plaintiffs (“IPPs”), the Direct Action Plaintiffs (“DAPs”), the California Attorney General,¹ and the undersigned Defendants² agree that a modest modification of the case schedule will ultimately aid in the efficient resolution of the litigation;

IT IS HEREBY STIPULATED AND AGREED by and between counsel for the IPPs, counsel for the DAPs, and counsel for the undersigned Defendants in the above-captioned actions as follows:

SCHEDULE

April 15, 2014	Last day for IPPs, DAPs and the California Attorney General to serve opening expert reports on the merits; last day for Defendants to serve opening expert reports on affirmative defenses;
July 3, 2014	For any depositions noticed, but not yet taken, by April 15, 2014, the Parties may supplement their opening reports to the extent that the supplements are limited to evidence that is elicited during such depositions;
August 5, 2014	Last day for Defendants to serve opposition expert reports on the merits; last day for IPPs, DAPs and California Attorney General to serve opposition expert reports on affirmative defenses;
September 5, 2014	Close of fact discovery;
September 23, 2014	Last day for IPPs, DAPs and California Attorney General to serve rebuttal expert reports on the merits; last day for Defendants to serve rebuttal expert reports on affirmative defenses;

¹ The California Attorney General joins in this stipulation, but only insofar as it concerns the close of fact and expert discovery on Defendants and the date of expert reports.

² The following Defendants do not join in this stipulation: Technicolor SA (f/k/a Thomson SA), Technicolor USA, Inc. (f/k/a Thomson Consumer Electronics, Inc.), Mitsubishi Electric Corporation, Mitsubishi Digital Electronics America, Inc., and Mitsubishi Electric US, Inc. (f/k/a Mitsubishi Electric and Electronics, USA, Inc.). The Court ruled only last week on the motions to dismiss filed by the Thomson and Mitsubishi defendants. Having not been parties to the previous scheduling orders in these matters, they obviously need to work with their clients, plaintiffs and the Court to determine the schedule going forward and therefore do not join in this stipulation at this time.

1	October 31, 2014	Last day for Defendants to serve sur-rebuttal expert reports on the
2		merits; last day for IPPs, DAPs and California Attorney General to
3		serve sur-rebuttal expert reports on affirmative defenses;
4	November 7, 2014	Last day to file dispositive motions;
5	December 5, 2014	Last day to file pre-trial Daubert motions (parties may decide to
6		reserve these motions for trial if they desire to do so);
7	December 5, 2014*	Plaintiffs' exchange of trial exhibits, deposition excerpts, and
8		witness lists (with objections, including objections to translations);
9	December 23, 2014	Last day to file oppositions to dispositive motions;
10	January 9, 2015*	First simultaneous exchange of jury instructions and special verdict
11		forms;
12	January 16, 2015	Last day to file oppositions to pre-trial Daubert motions;
13		
14	January 23, 2015	Last day to file replies in support of dispositive motions;
15	January 23, 2015*	Last day for filing motions in limine and other non-dispositive pre-
16		trial motions;
17	January 26, 2015*	Second simultaneous exchange of jury instructions and special
18		verdict forms;
19	January 29, 2015*	Defendants' exchange of trial exhibits, deposition excerpts, and
20		witness lists (with objections, including objections to translations);
21	January 30, 2015*	Last day to meet and confer re pre-trial order;
22	February 6, 2015*	Last day for parties to exchange proposed exhibits and witness lists;
23		file pretrial order, agreed set of jury instructions, and verdict forms
24	February 9, 2015	Last day to file replies in support of pre-trial Daubert motions;
25	February 13, 2015*	Last day for filing oppositions to motions in limine and other non-
26		dispositive pre-trial motions;
27	February 20, 2015*	Last day for filing replies in support of motions in limine and other
28		

1 non-dispositive pre-trial motions;
 2 February 27, 2015* Hearing on motions in limine and other non-dispositive pre-trial
 3 motions, and final pre-trial conference;
 4 March 9, 2015* Trial(s).

5 *All deadlines marked with an asterisk do not apply to those actions that were filed
 6 outside of the N.D. Cal. and, following the Court's rulings on dispositive motions and Daubert
 7 motions, those actions will be returned to the courts in which they were originally filed.

8 All parties reserve the right to seek modification of the schedule based on the number of
 9 expert reports and the number of motions which will be filed, both of which are presently
 10 unknown.

11 * * *

12 The undersigned parties jointly and respectfully request that the Court enter this
 13 stipulation as an order.

14 PURSUANT TO STIPULATION, IT IS SO ORDERED.

15 Dated: March 21, 2014

16
 17 Hon. Samuel Conti
 18 United States District Judge

19
 20 DATED: March 19, 2014

WINSTON & STRAWN LLP

21 By: /s/ Jeffrey L. Kessler
 22 JEFFREY L. KESSLER (*pro hac vice*)
 23 Email: JKessler@winston.com
 24 A. PAUL VICTOR (*pro hac vice*)
 25 Email: PVictor@winston.com
 26 ALDO A. BADINI (SBN 257086)
 27 Email: ABadini@winston.com
 28 EVA W. COLE (*pro hac vice*)
 Email: EWCole@winston.com
 MOLLY M. DONOVAN
 Email: MMDonovan@winston.com
WINSTON & STRAWN LLP
 200 Park Avenue
 New York, NY 10166
 Telephone: (212) 294-6700

Facsimile: (212) 294-4700

STEVEN A. REISS (*pro hac vice*)
Email: steven.reiss@weil.com
DAVID L. YOHAI (*pro hac vice*)
Email: david.yohai@weil.com
ADAM C. HEMLOCK (*pro hac vice*)
Email: adam.hemlock@weil.com
WEIL, GOTSHAL & MANGES LLP
767 Fifth Avenue
New York, New York 10153-0119
Telephone: (212) 310-8000
Facsimile: (212) 310-8007

*Attorneys for Defendants Panasonic Corporation
(f/k/a Matsushita Electric Industrial Co., Ltd.),
Panasonic Corporation of North America, MT
Picture Display Co., Ltd.*

**FRESHFIELDS BRUCKHAUS
DERINGER US LLP**

By: /s/ Richard Snyder
TERRY CALVANI (SBN 53260)
Email: terry.calvani@freshfields.com
CHRISTINE LACIAK (*pro hac vice*)
Email: christine.laciak@freshfields.com
RICHARD SNYDER (*pro hac vice*)
Email: richard.snyder@freshfields.com
**FRESHFIELDS BRUCKHAUS DERINGER US
LLP**
701 Pennsylvania Avenue NW, Suite 600
Washington, DC 20004
Telephone: (202) 777-4565
Facsimile: (202) 777-4555

*Attorneys for Beijing-Matsushita Color CRT
Company, Ltd.*

KIRKLAND & ELLIS LLP

By: /s/ Eliot A. Adelson
ELIOT A. ADELSON (SBN 205284)
Email: eadelson@kirkland.com
KIRKLAND & ELLIS LLP
555 California Street
27th Floor
San Francisco, CA 94104
Telephone: (415) 439-1400
Facsimile: (415) 439-1500

*Attorneys for Defendants Hitachi, Ltd., Hitachi
Displays, Ltd., Hitachi Asia, Ltd., Hitachi America,
Ltd., and Hitachi Electronic Devices (USA), Inc.*

SHEPPARD MULLIN RICHTER & HAMPTON

By: /s/ Gary L. Halling
GARY L. HALLING (SBN 66087)
Email: ghalling@sheppardmullin.com
JAMES L. MCGINNIS (SBN 95788)
Email: jmcginnis@sheppardmullin.com
MICHAEL W. SCARBOROUGH, (SBN 203524)
Email: mscarborough@sheppardmullin.com
SHEPPARD MULLIN RICHTER & HAMPTON
Four Embarcadero Center, 17th Floor
San Francisco, California 94111
Telephone: (415) 434-9100
Facsimile: (415) 434-3947

Attorneys for Defendants Samsung SDI America, Inc.; Samsung SDI Co., Ltd.; Samsung SDI (Malaysia) SDN. BHD.; Samsung SDI Mexico S.A. DE C.V.; Samsung SDI Brasil Ltda.; Shenzhen Samsung SDI Co., Ltd. and Tianjin Samsung SDI Co., Ltd.

WHITE & CASE LLP

By: /s/ Lucius B. Lau
CHRISTOPHER M. CURRAN (*pro hac vice*)
Email: ccurran@whitecase.com
GEORGE L. PAUL (*pro hac vice*)
Email: gpaul@whitecase.com
LUCIUS B. LAU (*pro hac vice*)
Email: alau@whitecase.com
WHITE & CASE LLP
701 Thirteenth Street, N.W.
Washington, DC 20005
Telephone: (202) 626-3600
Facsimile: (202) 639-9355

Attorneys for Defendants Toshiba Corporation, Toshiba America, Inc., Toshiba America Information Systems, Inc., Toshiba America Consumer Products, L.L.C., and Toshiba America Electronic Components, Inc.

BAKER BOTTS LLP

By: /s/ Jon V. Swenson
JON V. SWENSON (SBN 233054)
Email: jon.swenson@bakerbotts.com
1001 Page Mill Road
Building One, Suite 200
Palo Alto, CA 94304
Telephone: (650) 739-7500
Facsimile: (650) 739-7699

JOHN M. TALADAY (*pro hac vice*)

Email: john.taladay@bakerbotts.com
JOSEPH OSTOYICH (*pro hac vice*)
Email: joseph.ostoyich@bakerbotts.com
ERIK T. KOONS (*pro hac vice*)
Email: erik.koons@bakerbotts.com
CHARLES M. MALAISE (*pro hac vice*)
Email: charles.malaise@bakerbotts.com
BAKER BOTTS LLP
1299 Pennsylvania Ave., N.W.
Washington, DC 20004-2400
Telephone: (202) 639-7700
Facsimile: (202) 639-7890

*Attorneys for Defendants Koninklijke Philips N.V.
and Philips Electronics North America Corporation*

GIBSON, DUNN & CRUTCHER LLP

By: /s/ Rachel S. Brass
RACHEL S. BRASS (SBN 219301)
Email: rbrass@gibsondunn.com
JOEL S. SANDERS (SBN 107234)
Email: jsanders@gibsondunn.com
AUSTIN V. SCHWING (SBN 211696)
aschwing@gibsondunn.com
GIBSON, DUNN & CRUTCHER LLP
555 Mission Street, Suite 3000
San Francisco, California 94105
Tel: (415) 393-8200
Fax: (415) 393-8306

*Attorneys for Defendants Chunghwa Picture Tubes,
Ltd. and Chunghwa Picture Tubes (Malaysia)*

TRUMP, ALIOTO, TRUMP & PRESCOTT, LLP

By: /s/ Mario N. Alioto
MARIO N. ALIOTO (SBN 56433)
Email: malioto@tatp.com
LAUREN C. CAPURRO (SBN 241151)
Email: lauren russell@tatp.com
**TRUMP, ALIOTO, TRUMP & PRESCOTT,
LLP**
2280 Union Street
San Francisco, CA 94123
Telephone: (415) 563-7200
Facsimile: (415) 346-0679

*Interim Lead Counsel for the
Indirect Purchaser Plaintiffs*

BOIES, SCHILLER & FLEXNER LLP

By: /s/ Philip J. Iovieno

PHILIP J. IOVIENO

Email: piovieno@bsfllp.com

ANNE M. NARDACCI

Email: anardacci@bsfllp.com

BOIES, SCHILLER & FLEXNER LLP

10 North Pearl Street, 4th Floor

Albany, NY 12207

Telephone: (518) 434-0600

Facsimile: (518) 434-0665

WILLIAM A. ISAACSON

Email: wisaacson@bsfllp.com

JENNIFER MILICI

Email: jmilici@bsfllp.com

BOIES, SCHILLER & FLEXNER LLP

5301 Wisconsin Ave. NW, Suite 800

Washington, D.C. 20015

Telephone: (202) 237-2727

Facsimile: (202) 237-6131

STUART SINGER

Email: ssinger@bsfllp.com

BOIES, SCHILLER & FLEXNER LLP

401 East Las Olas Blvd., Suite 1200

Fort Lauderdale, FL 33301

Telephone: (954) 356-0011

Facsimile: (954) 356-0022

*Liaison Counsel for Direct Action Plaintiffs and
Attorneys for Plaintiffs Electrograph Systems, Inc.,
Electrograph Technologies, Corp., Office Depot,
Inc., Compucom Systems, Inc., Interbond
Corporation of America, P.C. Richard & Son Long
Island Corporation, Marta Cooperative of America,
Inc., ABC Appliance, Inc., Schultze Agency Services
LLC on behalf of Tweeter Opco, LLC and Tweeter
Newco, LLC*

KAMALA D. HARRIS

Attorney General of California

/s/ Emilio Varanini

EMILIO VARANINI

Deputy Attorney General

Attorneys for the State of California et al.

1
2 Pursuant to Local Rule 5-1(i), the filer attests that the concurrence in the filing of this
3 document has been obtained from each of the above signatories.
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28